

REMARKS

This Amendment is submitted in response to the Office Action mailed on June 23, 2003. Claims 1, 8 and 16 have been amended and claims 1-18 remain in the present application. In view of the foregoing amendments, as well as the following remarks, Applicants respectfully submit that this application is in complete condition for allowance and request reconsideration of the application in this regard.

Claims 1-18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Lamb et al., Design Patent No. D420,225 and Nordstrom et al., Design Patent No. D347,946. Claims 1, 2, 4-10 and 12-16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Heubeck, U.S. Patent No. 3,866,973. Lastly, claims 3, 11 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Heubeck.

Applicants have considered Examiner's rejections and Examiner's position that, based on the broadest reasonable interpretation of the claims, that Lamb et al., U.S. Design Patent No. D420,225, Nordstrom et al., U.S. Design Patent No. D347,946 and Heubeck, U.S. Patent No. 3,866,973 show a pair of arm rests rigidly connected to a back section. While Applicants respectfully traverse Examiner's rejections and position, Applicants have amended each of independent claims 1, 8 and 16 to more sharply define the present invention over the prior art of record by reciting that the pair of arm rests are rigidly and "non-pivotally" connected to the back section (claims 1 and 8) or to the back frame (claim 16). Applicants respectfully submit that the combination of elements recited in each of amended

independent claims 1, 8 and 16, and claims depending therefrom, is not taught or suggested by the prior art of record and the rejections should be withdrawn.

In particular, as fully set forth in Applicants' Amendment mailed on April 23, 2003, the arm rests of the dental chair of Lamb et al. are mounted to pivot relative to the back section as is evident from the elongated arm rest linkage which extends laterally through the back section to pivotally support the arm rests as shown in Figs. 3 and 5.

In the dental chair of Nordstrom et al., the arm rests are not rigidly and non-pivotally connected to the back section as claimed by Applicants. Rather, it appears that the arm rests are pivotally mounted to the yoke members as shown in Figs. 1-4, and it appears that the arm rests raise upwardly when the back rest is lowered to the recline position as shown in Fig. 5. Clearly, the arm rests move relative to the back rest as the back rest moves between the generally upright and reclined positions so that it is evident that the pair of arm rests are not rigidly and non-pivotally connected to the back section as claimed by Applicants.

Lastly, in the dental chair of Heubeck, it is clear that the arm rests (11) are mounted to pivot relative to the back section (4) about pivotal connections (10).

Applicants respectfully submit that the prior art of record fails to teach or suggest Applicants' invention wherein the pair of arm rests are rigidly and non-pivotally connected to the back section as claimed. As fully described in Applicants' disclosure, the examination chair of the present invention provides a patient with unobstructed entry into or exit from the chair in the generally upright

patient entry/exit position with a natural, relaxed and comfortable support with the reclined patient examination and treatment position. This is accomplished through the rigid and non-pivotal connection of the pair of arm rests to the back section without the need for pivotal connections between the arm rests and the back section as taught in the prior art of record.

Accordingly, Applicants respectfully submit that each of independent claims 1, 8 and 16 is allowable over the prior art of record and respectfully request that the rejections of these claims be withdrawn. Moreover, as claims 2-7, 9-15 and 17-18 depend from allowable independent claims 1, 8 and 16, respectively, and further as each of these claims recites a combination of elements not taught or suggested by the prior art of record, Applicants respectfully submit that these claims are allowable as well.

Conclusion

In view of the foregoing response including the amendments and remarks, this application is submitted to be in complete condition for allowance and early notice to this affect is earnestly solicited. If there is any issue that remains which may be resolved by telephone conference, the Examiner is invited to contact the undersigned in order to resolve the same and expedite the allowance of this application.

Applicants do not believe that this response requires that any fees be submitted, however, if any fees are deemed necessary, these may be charged to Deposit Account No. 23-3000.

Respectfully submitted,

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